IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9722 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BHIMPOR DUMAS SURAT MINIDOOR RICKSHAW DRIVERS

Versus

REGIONAL TRANSPORT AUTHORITY

Appearance:

MR BC DAVE for Petitioner

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 22/09/2000

ORAL JUDGEMENT

Rule. Mr.K.T.Dave, Learned AGP waives service of Rule. Leave to add one name at Annexure "A" Mr.B.C.Dave, learned advocate appearing for petitioner is directed to file separate one page petition for all the members of the petitioner-association, whose names are shown at Annexure "A" to the petition.

2. Mr.K.T.Dave states that R.T.O. as well as Police Authority shall implement the Government Resolution dated 28.1.1997 and the R.T.O. Surat has already issued notices to some of the permit holders. The RTO Surat will decide the question about the change of condition relating to the area of operation that is whether the entry of these vehicles in Surat City area may be prohibited. The said question will be decided after hearing the petitioners within six months from the receipt of the writ of this Court.

3. Mr.B.C.Dave states that all the petitioners will cooperate with the RTO authority for expeditiously deciding the matters in which notices are or will be issued.

4. In view of the above statement, the R.T.O. authority shall issue fresh notices to the members of the petitioner Association. The police authority and the R.T.O. authority shall not seize the vehicles of the members of the petitioner Association named in Annexure "A" or R.C. Books relating to those vehicles till the R.T.O authority takes decision with regard to the condition of permit as stated above, provided the members have a valid permit showing Surat city in the area of operation. The members from whose permits the word "Surat City" is cancelled without hearing them shall also be entitled to avail of the benefits of this order, if any, which may be finally passed and adverse to the petitioners shall not be implemented for a period of three weeks from the date of despatch of the decision.

5. The petition is disposed of in terms of the aforesaid directions. Rule is made absolute to the aforesaid extent.

22.9.2000 (M.S. Shah, J.)